

88-139-A  
6520  
PETITION FOR ZONING VARIANCE  
THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a variance from Section 1802.3.B (1802.2.C.4.1) to permit a building to extend six feet into the required 25 foot minimum building setback line and a minimum side yard setback of three feet in lieu of the required eight feet and to amend Lot 14, Block B, of the 6th Amended Final Development Plan of Section II, North Gate Hall to allow construction outside of the building envelope.

Require an oversize garage for auto storage and household goods storage.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser: \_\_\_\_\_ Legal Owner(s): \_\_\_\_\_  
(Type or Print Name) \_\_\_\_\_  
Signature \_\_\_\_\_  
Address \_\_\_\_\_  
City and State \_\_\_\_\_  
Attorney for Petitioner: \_\_\_\_\_  
(Type or Print Name) \_\_\_\_\_  
Signature \_\_\_\_\_  
Address \_\_\_\_\_  
City and State \_\_\_\_\_  
Attorney's Telephone No.: \_\_\_\_\_

ORDERED By The Zoning Commissioner of Baltimore County, this 21st day of September, 1987, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 23rd day of October, 1987, at 9:00 o'clock a.m.

LENGTH OF HEARING - 15/2HR. + 1HR (over)  
AVAILABLE FOR HEARING - NEXT TWO MONTHS  
DATE: 10/1/87

CERTIFICATE OF PUBLICATION

TOWSON, MD., Oct 1, 1987  
THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearing on Oct 1, 1987

THE JEFFERSONIAN,

Susan Studer Obrecht  
Publisher

CERTIFICATE OF POSTING  
ZONING DEPARTMENT OF BALTIMORE COUNTY  
Towson, Maryland

District 11th  
Posted for: Variance  
Petitioner: James A. Aldon, et ux  
Location of property: NW/4 Galley Rd., 227.86' W of Bowline Rd.  
4816 Galley Rd.  
Location of Signs: on left side of right-of-way, facing property of R.H. Haines  
Remarks: \_\_\_\_\_  
Posted by: J. Robert Haines  
Number of Signs: 1

IN RE: PETITION FOR ZONING VARIANCE \* BEFORE THE  
N/W side of Galley Road \* ZONING COMMISSIONER  
227.86 feet west of Bowline \* OF BALTIMORE COUNTY  
Road (4816 Galley Road \* Case No. 88-139-A  
2nd Councilmanic District  
1st Election District  
James A. Aldon, et ux  
Petitioners

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioner herein requests variances to permit a side yard setback of 19 feet in lieu of the required 25 feet minimum and, furthermore, a minimum setback of 3 feet in lieu of the required 8 feet and to amend Lot 14, Block B of the Sixth Amended Final Development Plan of Section 2 North Gate Hall to allow construction outside of the building envelope, as more particularly described on the Petitioner's Exhibit 1.

The Petitioner was present and testified on his own behalf. There were no Protestants.

The testimony indicated that the subject property is located on Galley Road off of Joppa Road in the Carney section of Baltimore County, Maryland and is presently zoned D.R.5.5. The property consists of approximately 3/10ths of an acre of ground. The lot is known as lot 14 of the subdivision of North Gate Hall and is a parceled lot with an in fee access to Galley Road of 12 feet in width. As indicated on Petitioner's Exhibit 1, the proposed addition is a 22 x 26 foot garage to the side of the currently existing single family dwelling unit. The proposed addition is indicated upon the site plan in blue on Petitioner's Exhibit No. 1. The proposed garage will be constructed as a one story addition to the home located on the west side of the subject property. The southwestern corner of the subject addition will cross both the front line setback and the side yard setback line and, therefore, require the

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ZONING DESCRIPTION  
Beginning on the northwest side of Galley Road, at a distance of 227.86' west of Bowline Road, being Lot 14, Block B, Section II of the subdivision of North Gate Hall, Book No. 40 Folio 104. Also known as 4816 Galley Road in the 11th Election District.

88-139-A

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING  
County Office Building  
111 W. Chesapeake Avenue  
Towson, Maryland 21204

Your petition has been received and accepted for filing this 21st day of September, 1987

J. Robert Haines  
ZONING COMMISSIONER

Petitioner: James A. Aldon, et ux  
Attorney: \_\_\_\_\_

above requested variance.

The testimony of the Petitioner indicates that the placement of the garage as shown on Petitioner's Exhibit 1 is the standard placement for garages on homes of a similar type in this community. The garages in the community are all placed on the same position in reference to the home as this proposed garage. They are designed to incorporate into the dwelling unit structure, at this location, as all other garages in the area.

The testimony in this case clearly establishes that if the subject variance were granted, the proposed project would be consistent with the spirit and intent of the B.C.Z.R. and would not do substantial harm to the health, safety and general welfare of the community.

The evidence establishes that the Petitioner is suffering from the unique conditions of his land that restrict its development. It is clear from the testimony that if the variances were granted, such use as proposed would not be contrary to the spirit of the B.C.Z.R. and would not result in substantial detriment to the public good.

After due consideration of the testimony and evidence presented, it is clear that a practical difficulty or unreasonable hardship would result if the instant variances were not granted. It has been established that the requirement from which the Petitioner seeks relief would unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the variances requested will not be detrimental to the public health, safety and general welfare.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the requested variances should be Granted.

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PETITION FOR ZONING VARIANCE  
11th Election District - 5th Councilmanic District  
Case No. 88-139-A

LOCATION: Northwest Side of Galley Road, 227.86 feet West of Bowline Road (4816 Galley Road)  
DATE AND TIME: Friday, October 23, 1987, at 9:00 a.m.  
PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

Petition for Zoning Variance to permit a building to extend 6 feet into the required 25-foot minimum building setback line, a minimum side yard setback of 3 feet in lieu of the required 8 feet, and to amend Lot 14, Block B, of the 6th Amended Final Development Plan of Section II, North Gate Hall to permit construction outside of the building envelope

Being the property of James A. Aldon, et ux, as shown on plat plan filed with the Zoning Office.

In the event that this Petition(s) is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.

J. ROBERT HAINES  
ZONING COMMISSIONER  
OF BALTIMORE COUNTY

Therefore, it is ORDERED by the Zoning Commissioner of Baltimore County this 27th day of November, 1987, that the Petition for Zoning Variance to permit a building to extend 6 feet into the required 25 foot minimum building setback line and a minimum side yard setback of 3 feet in lieu of the required 8 feet and to amend Lot 14, Block B, of the 6th Amended Final Development Plan of Section II, North Gate Hall to allow construction outside of the building envelope be and is hereby GRANTED, from and after the date of this Order, subject to the following:

1. The Petitioner may apply for his building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the applicable appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.
2. The Petitioner must comply with the comments submitted by the Baltimore County Zoning Plans Advisory Committee (ZPAC), which are adopted in their entirety and made a part of this Order.
3. The development of this project is limited to the location and placement of the addition as set forth on Petitioner's Exhibit 1.
4. The subject property is never to be used as a two-family dwelling unit.
5. The subject property may not have an apartment or second kitchen added to the existing dwelling unit.

J. Robert Haines  
J. ROBERT HAINES  
ZONING COMMISSIONER FOR  
BALTIMORE COUNTY

JRH:mmm  
cc: Peoples Counsel

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BALTIMORE COUNTY  
OFFICE OF PLANNING & ZONING  
TOWSON, MARYLAND 21204  
494-3353

J. ROBERT HAINES  
ZONING COMMISSIONER

October 14, 1987

Mr. James A. Aldon  
Mrs. Sharon M. Aldon  
4816 Galley Road  
Baltimore, Maryland 21236

RE: PETITION FOR ZONING VARIANCE  
NW/S Galley Rd., 227.86' W of Bowline Rd.  
(4816 Galley Rd.)  
11th Election District - 5th Councilmanic District  
James A. Aldon, et ux - Petitioners  
Case No. 88-139-A

Dear Mr. and Mrs. Aldon:

This is to advise you that \$79.52 is due for advertising and posting of the above property. This fee must be paid before an Order is issued.

THIS FEE MUST BE PAID AND THE ZONING SIGN AND POST RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT BE ISSUED.

Do not remove sign from property from the time it is placed by this office until the day of the hearing itself.

Please make the check payable to Baltimore County, Maryland, and remit to Zoning Office, Room 113, County Office Building, Towson, Maryland 21204, before the hearing.

Sincerely,  
J. Robert Haines  
J. ROBERT HAINES  
Zoning Commissioner

JRH:mm

BALTIMORE COUNTY, MARYLAND  
OFFICE OF FINANCE - REVENUE DIVISION  
MISCELLANEOUS CASH RECEIPT  
No. 37957  
DATE: 10/15/87 ACCOUNT: 9-11-1-1-1-1-1  
SIGN & POST RETURNED AMOUNT: \$ 79.52  
Mr. James A. Aldon, 4816 Galley Rd.,  
Baltimore, Md. 21236  
RECEIVED FROM: ADVERTISING & POSTING COSTS RE CASE #88-139-A  
FOR: 8 8009\*\*\*\*\*755214 22348  
VALIDATION OR SIGNATURE OF CARRIER

OCT 1 1988



